

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Carlos Humberto Gallo Vazquez,

Civil No. 10-CV-4217 (JNE/TNL)

Plaintiff,

v.

ORDER

Defendant Nagel, in his individual and
Official capacities as L.T.; Gunnar Kruger,
in his individual and official capacities as
counselor; and C. Greiner, in his individual and
official capacities,

Defendants.

Carlos Humberto Gallo Vazquez, 20063-424, ROCHESTER FEDERAL MEDICAL CENTER
P.O. BOX 4000, ROCHESTER, MN 55903

Gregory G. Booker and Mary J. Madigan, Assistant United States Attorneys, 600 United States
Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 (for Defendant).

Based upon the Report and Recommendation by United States Magistrate Judge Tony N.
Leung dated February 13, 2012 (Docket No.39), along with all the files and records, and no
objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss (Docket No. 23) is **GRANTED**;
2. Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**..

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: 3-14, 2012

s/ Joan N. Ericksen

The Honorable Joan N. Ericksen
United States District Court Judge
for the District of Minnesota